



New York State Senate Standing Committee on **Energy and Telecommunications**

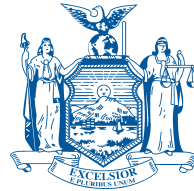
Senator Kevin S. Parker

Chair



Senator Andrea Stewart-Cousins
President Pro Tempore
NYS Senate Majority Leader

CHAIR
ENERGY AND TELECOMMUNICATIONS
COMMITTEES
BANKS
FINANCE
HIGHER EDUCATION
INSURANCE
INTERNET AND TECHNOLOGY
RULES



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December 16, 2022

The Honorable Andrea Stewart-Cousins
Temporary President and Majority Leader
New York State Senate
Albany, NY 12247

Dear Senator Stewart-Cousins:

I am pleased to transmit the Annual Report of the Senate's Standing Committee on Energy and Telecommunications for the 2022 Legislative Session. As Chair, I am proud to continue to lead our efforts to address important matters under my committee's jurisdiction. It was a robust and active year for the Committee. During the 2022 Legislative Session, both the "Advanced Building Codes, Appliance and Equipment Efficiency Standards Act of 2022", "Utility Thermal Energy Network and Jobs Act" and "Public Build Renewables Act" were able to pass the Senate, while briefly during the last day of session, the "Moratorium on Proof-of-Work Crypto-mining Operations" was referred to the Committee before it was passed.

During the 2022 session, this committee met seven times in session and reported 53 bills.

I thank my colleagues who served on the Committee for their efforts and support of the work that was done in the committee this year, and I thank you for the continued support from the Majority Conference in the committee's operations.

Sincerely,

Kevin Parker
Chair



2022 LEGISLATIVE SESSION REPORT

NEW YORK STATE SENATE STANDING COMMITTEE ON ENERGY AND TELECOMMUNICATIONS

Senator Kevin Parker, Chairman

COMMITTEE MEMBERS

Senator James Gaughran	Senator Patty Ritchie, <i>Ranking Member</i>
Senator Pete Harekham	Senator Phil Boyle
Senator Michelle Hinchey	Senator Thomas F. O'Mara
Senator Brian Kavanagh	
Senator Timothy M. Kennedy	

COMMITTEE STAFF

Robert Habermann, Senate Counsel
Aboulaye Ballo, Committee Director

COMMITTEE JURISDICTION AND OVERVIEW

The New York State Senate Standing Committee on Energy and Telecommunications has legislative oversight responsibilities for issues concerning energy, nuclear power, water companies, public service utilities, communications, and related franchise and tax issues.

During the 2022 Legislative Session, 241 bills were referred to the Committee for its review. Of these bills, 53 were reported from the Committee. 40 were passed by the Senate, and 22 passed in both houses. This work was conducted through a series of seven committee meetings. A list of all bills that were reported from the committee is provided at the end of this report.

COMMITTEE HIGHLIGHTS

The following key bills were acted on by the committee in 2022:

- S926C (**Kaplan**) Requires electric corporations to prioritize restoring services to police departments, fire departments, and ambulance services, when such services are interrupted
- S931A (**Kaplan**) Defines medical needs for essential electricity and requires certain service providers to have outreach plans for customers with essential electricity medical needs
- S1380A (**Brooks**) Requires gas corporations to file annual gas safety reports
- S1829B (**Skoufis**) Directs the New York state energy research and development authority to prepare a report regarding the replacement of certain electric generating sites with renewable energy development and energy storage
- S2838C (**Parker**) Relates to the purchase or lease of zero emission vehicles for state-owned vehicle fleets
- S3034A (**Parker**) Relates to utility intervenor reimbursement
- S5451C (**Parker**) Relates to directing the departments of public service and environmental conservation to prepare a written report on the effect of the COVID-19 state of emergency on certain utilities
- S6453C (**Parker**) Implements the “New York State Build Public Renewables Act”
- S6486D (**Parker**) Establishes a moratorium on cryptocurrency mining operations that use proof-of-work authentication methods to validate blockchain transactions
- S6919 (**Kennedy**) Allows certain customer-generators who generate solar electricity to donate credit for such electricity to low-income families
- S7122 (**Hinchey**) Prohibits development of build-ready sites on viable agricultural land
- S7157 (**Parker**) Requires the release of individuals from utility, phone and television contracts in instances of domestic violence; repealer
- S7453 (**Krueger**) Establishes the electric landscaping equipment rebate program; provides for the repeal of such provisions upon expiration thereof
- S8204B (**Mannion**) Designates the director of the upstate flood mitigation task force and relates to assessments of Erie Canal system operation procedures related to flood mitigation and management
- S8405 (**Parker**) Enacts the “fossil fuel facilities replacement and redevelopment blueprint act”
- S9405 (**Parker**) Relates to establishing the “Advanced Building Codes, Appliance and Equipment Efficiency Standards Act of 2022”
- S9422 (**Parker**) Establishes the “Utility Thermal Energy Network and Jobs Act”

TWO HOUSE BILLS

In 2022, 22 of the 241 bills referred to the Standing Committee on Energy passed both houses of the Legislature. Of these bills, the Governor has signed 7 and vetoed 6. 9 bills are currently being reviewed by the Governor.

SUMMARY OF COMMITTEE ACTIVITY

<u>Bill</u>	<u>Sponsor</u>	<u>Summary</u>	<u>Significant Action</u>
S1829B	SKOUFIS	Relates Directs the New York state energy research and development authority to prepare a report regarding the replacement of decommissioned or dormant electric generating sites with renewable energy development and energy storage opportunities.	Veto 46 of 2022
S2838B	PARKER	Directs the office of general services in consultation with the department of environmental conservation and the New York state energy research and development authority to prepare a state fleet procurement plan for the purchase or lease of state agency vehicles to ensure state agency vehicles will be zero emission vehicles over a certain period of time.	On Governor's Desk
S3281	PARKER	Relates to establishing a renewable hydrogen incentive and financing program to engage stakeholders to design and implement a competitive program for renewable hydrogen production for the purpose of meeting the state's clean energy and greenhouse emissions reductions targets.	Reported from Committee
S5451	PARKER	Directs the department of public service to prepare written reports on the effect the COVID-19 state of emergency has on certain utilities of electric, gas, water, wastewater, and telephone service to commercial and residential customers in the state and on the affordability of services.	Veto 73 of 2022
S6497 A	PARKER	Establishes a program for eligible zero emissions energy systems	Passed Senate Only
S5939 A	RAMOS	Prohibits the development of any new major electric generating facilities that would be powered in whole or in part by any fossil fuel, unless the developer of such facility can demonstrate a need for such facility, and that there is no other reasonable method to satisfy such need.	Reported from Committee
S7176	PARKER	Relates to establishing the "Advanced Building Codes, Appliance and Equipment Efficiency Standards Act of 2022"	Passed Senate Only
S7453	KRUEGER	Establishes the electric landscaping equipment rebate program to reduce greenhouse gas emissions, improve air quality, and reduce noise pollution by promoting the adoption of quieter, zero-emission landscaping equipment; provides for rebates at the point of sale for applicants purchasing or leasing certain equipment; provides for the repeal of such provisions upon expiration thereof.	On Governor's Desk
S1085	GAUGHRAN	Relates to false material statements related to a public utility.	Passed Senate Only

S3019	PARKER	Prohibits the release of a consumer's electrical or gas consumption data to any police officer, or private, local, state or federal law enforcement entity without a judicial court-ordered subpoena, warrant or the consumer's written consent.	Reported from Committee
S6268B	MAY	Prohibits proceeds from the auction or sale of carbon dioxide emission allowances pursuant to New York's participation in the regional greenhouse gas initiative (RGGI) from being transferred into the state general fund; provides that if such proceeds are transferred to the state general fund, they shall be used for the purposes directed by the RGGI.	Reported from Committee
S7157	PARKER	Requires the release of individuals from utility, phone and television contracts in instances of domestic violence; repealer	Chapter 578 of 2022
S6919	KENNEDY	Allows certain customer-generators who generate solar electricity to donate credit for such electricity to low-income families; requires electric corporations to create a low-income energy assistance pool for the donation of such credits.	On Governor's Desk
S7668	PARKER	Relates to a moratorium on utility termination of services due to the COVID-19 pandemic; repealer	Reported from Committee
S968	GAUGRHAN	Requires service providers to annually submit an emergency response plan to the public service commission for review; authorizes the public service commission to require the service provider amend the plan; authorizes the commission to open an investigation to review the performance of service providers in meeting the requirements of the emergency response plan.	Veto 92 of 2022
S6584	PARKER	Directs the New York state energy research and development authority to conduct a study on powering cryptocurrency mining facilities with renewable energy	Reported from Committee
S2837	PARKER	Directs the department of public service to adjust each utility corporation's residential fixed charge upon such corporation's filing with the department of an amendment of rate schedules, to recover only the fixed costs and operation and maintenance expenses directly related to metering, billing, service connections and the provision of customer service.	Passed Senate Only
S6612	PARKER	Relates to the green jobs-green New York on-bill energy efficiency payment program	Passed Senate Only
S7027	PARKER	Relates to maintaining the continued viability of the state's existing large-scale, renewable energy resources; directs the public service commission, in consultation with NYSERDA to modify the Competitive Tier 2 Program adopted by the order modifying the clean energy standard.	Passed Senate Only
S7122	HINCHEY	Prohibits development of build-ready sites on viable agricultural land.	Veto 39 of 202
S931A	KAPLAN	Defines medical needs for essential electricity as including but not limited to, apnea monitors for infants, cuirass respirators, hemodialysis machines, IV feeding machines, IV medical infusion machines, oxygen concentrators, positive pressure respirators, respirator/ventilators, rocking bed respirators, suction machines, tank type respirators, as well as any medical equipment or equipment necessary for an individual whose diagnosis is likely to be significantly triggered or significantly exacerbated	On Governor's Desk

		by a continued loss of power that will adversely impact that individual's health.	
S3034	PARKER	Relates to utility intervenor reimbursement	On Governor's Desk
S6275B	PARKER	Relates to establishing arrears resolution programs; requires utility corporations, telephone corporations, water-works corporations, municipal water systems, internet service providers and cable television companies to establish arrears resolution programs for residential and small business customers to pay arrears owed during the COVID-19 state of emergency; requires the public service commission to study arrears owed for broadband services and cable service in the state; defines terms; requires the public service commission to establish an arrears resolution funding program to pay for customers' arrears.	Reported from Committee
S2933	PARKER	Directs the department of state and the public service commission to study and report upon the prevalence of the disclosure by public utilities, cable television companies and cellular telephone service providers to credit reporting agencies of late payments and defaults in payment of fees and charges by consumers.	Passed Senate Only
S3028	PARKER	Requires the public service commission and the Long Island power authority to establish standards of acceptable performance for gas and electric corporations.	Passed Senate Only
S3138	PARKER	Authorizes utility corporations, telegraph and telephone corporations, and cable television corporations to provide notice of bills to third parties	Passed Senate Only
S5237B	GAUGHRAN	Requires service providers to reimburse consumers for spoilage of food and medication due to the lack of refrigeration in the event of a power outage lasting seventy-two hours or more.	Veto 43 of 2022
S8405	PARKER	Enacts the "fossil fuel facilities replacement and redevelopment blueprint act"; relates to the development of a blueprint to guide the replacement and redevelopment of New York's oldest and most-polluting fossil fuel facilities and their sites by 2030.	Passed Senate Only
S7087 A	PARKER	Authorizes the power authority of the state of New York to form a pure captive insurance company. Eff. Date 05/09/2022 (See Table)	Chapter 594 of 2022
S928	KAPLAN	Requires electric companies to provide alternative measures to ensure customers with documented need for essential electricity for medical needs have access to electricity during power outages; requires electric companies to provide generators or lodging for such individuals and transportation for medical devices.	Reported from Committee
S3126C	PARKER	Establishes energy efficiency measures by the public service commission and NYSERDA including requiring utilities to hire and train employees who are from priority populations or living in areas designated as environmental justice communities.	Reported from Committee
S5579 A	PARKER	Relates to critical energy infrastructure security and responsibility; relates to the protection of critical infrastructure in the state.	On Governor's Desk

S7468	HARCKHAM	Requires vine trimming, in addition to other maintenance procedures, for the maintenance of utility poles by the utility company or cable television company that owns such utility pole.	Reported from Committee
S8204	MANNION	Designates the director of the upstate flood mitigation task force; relates to assessments of Erie Canal system operation procedures related to flood mitigation and management.	Chapter 370 of 2022
S8327 A	KENNEDY	Relates to net energy metering for fuel-flexible linear generator electric generating equipment.	On Governor's Desk
S8384	PARKER	Relates to providing net revenues from utility-owned large-scale renewable generation projects to low-income customers and authorizes utility companies to own such projects	Reported from Committee
S8491	PARKER	Relates to establishing discount programs for veterans; provides that utilities, water-works corporations, telephone corporations and cable television companies shall create discount programs that provide a 10 percent discount to veterans; defines terms.	Reported from Committee
S8492	PARKER	Relates to establishing discount programs for low-income senior citizens and individuals with a disability	Reported from Committee
S8650	PARKER	Requires the public service commission to develop recommendations regarding the establishment of microgrids	Veto 57 of 2022
S1840	SKOUFIS	Relates to information cable television companies must provide to subscribers regarding availability of required equipment at retail.	Reported from Committee
S3217 A	PARKER	Relates to biofuel production credit for production of biomethane, a biodiesel fuel.	Reported from Committee
S1979 A	JACKSON	Updates certain requirements regarding billing for electric services, such as when corporations shall use an approved demand measuring device, mandating that classifications of service, the account and/or meter number, and the quantity billed be indicated on customers' bills.	On Governor's Desk
S4032	COMRIE	Requires energy brokers and energy consultants to register with the public service commission.	Passed Senate Only
S4261	GRIFFO	Relates to the amount of St. Lawrence County economic development power that may be used by the New York Power Authority to generate net earnings.	Passed Senate Only
S4960	MAYER	Relates to strengthening of utility storm response and compliance by reviewing mitigating factors including but not limited to mitigating factors and the specifics surrounding the violation or violations.	Passed Senate Only
S6480	PARKER	Directs the public service commission and the Long Island power authority to extend appropriate elements of the compensation under the "Value Stack" to resources located behind customer electric meters	Reported from Committee
S6524	REICHLIN-ME LNICK	Requires corporations and municipalities to notify property owners prior to beginning services that may interfere with a property owner's ability to enjoy, use, or access such property owner's property; exempts cases where	Passed Senate Only

		a natural or man-made disaster or state of emergency occurs.	
S7006 A	MAY	Relates to certificate and permit conditions for dormant power generating facilities that are in layup or out of service.	Reported from Committee
S8373	ADDABBO	Requires gas and electric corporations to provide sixty days' notice to customers whenever there is a service rate or charge increase.	Passed Senate Only
S8534	HINCHEY	Establishes the “small water utility transparency act”; requires the public service commission and the department of environmental conservation to conduct audits of certain private water companies; requires certain private water companies which are under certain investigations to file public updates on the status of compliance with such orders.	Passed Senate Only
S8919	HINCHEY	Protects certain agreements between public service companies and their employees.	Chapter 675 of 2022
S8983	PARKER	Relates to requiring the establishment of automatic payment plans; requires investor-owned combination utility companies headquartered in New York to establish a statewide program to provide eligible participants with affordability payment plans.	Reported from Committee
S8984	PARKER	Relates to establishing minimum standards for payment plans for eligible customers; requires the public service commission to set standards for payment plans for certain customers including reasonableness of agreements and timelines for payment; establishes eligibility.	Reported from Committee
S6453C	PARKER	Implements the “New York State Build Public Renewables Act”	Passed Senate Only
S6486 D	PARKER	Establishes a moratorium on cryptocurrency mining operations that use proof-of-work authentication methods to validate blockchain transactions	Chapter 628 of 2022
S9422	PARKER	utility thermal energy network and jobs act	Chapter 375 of 2022
S9382	PARKER	Relates to the purchase or lease of zero emission vehicles for state-owned vehicle fleets	On Governor’s Desk
S9405	PARKER	Relates to establishing the “Advanced Building Codes, Appliance and Equipment Efficiency Standards Act of 2022”	Chapter 374 of 2022
S9426	PARKER	Relates to providing net revenues from utility-owned large-scale renewable generation projects to low-income customers and authorizes utility companies to own such projects	Reported from Committee



Annual Report 2022

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on **Energy and Telecommunications**